



CITY CLERK'S SUMMARY OF COUNCIL ACTIONS
Regular Meeting of Monday, November 24, 2008 - 7:00 p.m. – Council Chambers

AGENDA

<u>ITEM #</u>	<u>SUBJECT</u>	<u>ACTION TAKEN</u>
1.	Call to Order/Roll Call	All present. The meeting was called to order at 7:00 p.m.
2.	Invocation	Offered by Councilman Garcia.
	Salute to the Flag	The audience participated.
3.	Awards & Presentations	
3A)	C.A.F.R. and P.A.F.R. Plaques	<p>City Manager Borgmann presented plaques of achievement received from the Government Finance Officers Association of the United States and Canada to Finance Director Leacroft Robinson and Comptroller Alicia González.</p> <p>City Manager Borgmann explained that the first award is for outstanding achievement in Popular Annual Financial Reporting (P.A.F.R.), which is a small brochure that is mailed to residents with a brief synopsis of the financial condition of the City and the second is for excellence in Financial Reporting (C.A.F.R.) for Fiscal Year Ending September 30, 2007.</p>
3B)	Presentation by Department of Environmental Resources Management (DERM)	City Manager Borgmann announced that he was unable to have a speaker present, but a report was generated that will be distributed during the discussion on annexation.

4. Open Forum:

Swimming Pool

Ivonne Amor of 540 Raven Avenue expressed her gratitude to the Mayor, Council, City Manager and Administration for providing the opportunity for the residents to be able to swim year round. Her son, who was very sick with asthma, has improved since he began swimming on the swim team for the past two years. She felt that it is appropriate during Thanksgiving week to give thanks for the opportunities that the residents have in Miami Springs.

Swimming Pool

Mel Johnson of 109 South Royal Poinciana Boulevard would like to know the number of Miami Springs' swimmers on the Miami-Dade Aquatic Club currently and for the past two years on a weekly and monthly basis. He followed Council's direction to ask the Assistant City Manager for information on pool admission revenues and was told to secure a Public Records Request.

After discussion, Councilman Dotson agreed that the Open Forum session should not be expanded to a big debate. He would like an agenda item for the next meeting to discuss the swim teams and the financial arrangements with each organization. He wants an itemized breakdown for overtime expenses, concession revenues, clean-up costs and rates. He is aware that the pool is not a money making enterprise, but he wants to be sure that residents have the opportunity to use the pool and are not excluded by activities that bring people in from outside the City.

Assistant City Manager Gorland explained that he can develop estimates, although the clean-up cost is unknown because it was done by the crew that managed the event. Since there is no cost accounting system available, all numbers are estimated.

5. Approval of Council Minutes

- 5A) 11/10/2008 Regular Meeting Minutes of the November 10, 2008 Regular Meeting were **approved as written.**
Motion: Councilman Garcia
Second: Councilman Best
Vice Mayor Youngs: “abstained
Councilman Best: “aye”
Councilman Dotson: “aye”
Councilman Garcia: “aye”
Mayor Bain: “aye”
Vote: 40

6. Reports from Boards & Commissions

- 6A) Board of Parks and Parkways Cancellation Notice of the November 13, 2008 Board of Parks and Parkways meeting was received for information without comment.
- 6B) Education Advisory Board Minutes of the November 17, 2008 Education Advisory Board meeting were received for information without comment.
- 6C) Code Review Board Cancellation Notice of the November 27, 2008 Code Review Board meeting was received for information without comment.
- 6D) Education Advisory Board Cancellation Notice of the December 16, 2008 Education Advisory Board meeting was received for information.
- Vice Mayor Youngs commented that the Education Advisory Board asked the Mayor and Council to recognize the nominees for Teachers of the Year for each school during a City Council meeting.

- 7. Public Hearings:** None.

- 8. Consent Agenda:** None.

9. Old Business:

9A) Meetings of Advisory Boards

Council **directed** the Board of Parks and Parkways and Ecology Board to hold a joint meeting on December 11.

Motion: Councilman Garcia

Second: Vice Mayor Youngs

Vote: 5-0

9B) New Community Center:
Link Construction Contract

Motion to **authorize** the proper officials of the City to execute a contract proposed between Link Construction Group, Inc. and Miami Springs for the construction of a new Miami Springs Community Center subject to the following:

1. The satisfaction of City Officials to the adequacy and proper language contained in the proposed payment and performance bonds from Link.

2. A review of the proper insurance documents required for the project, including but not limited to the builder's risk property damage insurance.

3. A technical review by the City's architect to determine that all documentation contained within the contract and the drawings that are referenced in the contract are what has been proposed and agreed to previously and presented to Council and agreed to with Link in prior presentations.

Motion: Vice Mayor Youngs

Second: Councilman Best

Vote: 5-0

- 9C) Status of Annexation Negotiations Council **authorized** the City Manager to amend the application for annexation.
Motion: Councilman Garcia
Second: Councilman Best
Vote: 5-0
- Motion to **authorize** preparation of the joint resolution and include within that resolution a statement of what the boundaries are: The center line of 36th Street is the southern boundary, the 74th Street connector is indicated as the northern boundary, the eastern boundary is the boundary line of the FEC property adjacent to the roadway on Ludlam Drive by the bike path and the western boundary is the service road that runs parallel to the Palmetto Expressway.
Motion: Vice Mayor Youngs
Second: Councilman Best
Vote: 5-0
- 9D) Appointments to Advisory Boards Councilman Best **re-appointed** Rafael Alpízar to the Architectural Review Board for a full 2-year term ending on October 31, 2010.
- Councilman Dotson **re-appointed** Raúl Sora to the Architectural Review Board for a full 2-year term ending on October 31, 2010.
- Councilman Garcia **re-appointed** Ramón Valdés-Denis to the Architectural Review Board for a full 2-year term ending on October 31, 2010.
- 9E) Withdrawal of Proposed Public Education Facilities Element Council **approved** the withdrawal of the Public Education Facilities Element.
Motion: Councilman Best
Second: Vice Mayor Youngs
Vote: 5-0

- 9F) Change Order to Purchase Order No. 081018 – Mellgren Planning
- Council **waived** the competitive bid process and **approved** a Change Order to Purchase Order No. 081018, in an amount not to exceed \$6,300 to the Mellgren Planning Group for assistance with completion of the Public Education Facilities Element and Related Amendments to the Intergovernmental Coordination and Capital Improvements Element, as provided in Section 31.11 (E) (6) (g) of the City Code.
Motion: Councilman Dotson
Second: Councilman Best
Vote: 5-0
10. **New Business:**
- 10A) Petition Regarding Annexation: Verification of Signatures
- Council **authorized** the City Clerk to send the petitions to Miami-Dade County for signature verification.
Motion: Councilman Best
Second: Councilman Garcia
Vote: 5-0
- 10B) Resolution – Canvassing Results of the 11/4/2008 Special Election
- Council **adopted** a resolution canvassing returns of the Special Election of November 4, 2008 and declaring results thereof **(Resolution No. 2008-3421)**.
Motion: Councilman Best
Second: Vice Mayor Youngs
Vote: 5-0
- 10C) First Reading – Ordinance: Amending §35-20
- On first reading, Council **approved** an ordinance amending §35-20 Normal Retirement, by providing for lifetime health insurance coverage eligibility following employee normal retirement; and establishing eligibility for like benefits for 401-A retirement plan participants and other City officials.

- 10C) First Reading – Ordinance:
Amending §35-20 (Continued)
- Motion:** Vice Mayor Youngs
Second: Councilman Best
Vice Mayor Youngs: “aye”
Councilman Best: “aye”
Councilman Dotson: “no”
Councilman Garcia: “aye”
Mayor Bain: “no”
Vote: 3-2
- 10D) Interlocal Agreement with MPO
- Council **approved** an Interlocal Agreement with the Miami-Dade Metropolitan Planning Organization (MPO) and the City of Miami Springs, required as a condition of a grant award, in the amount of \$10,880 from the MPO to assist in funding the 36th Street Traffic Impact Study.
- Motion:** Vice Mayor Youngs
Second: Councilman Garcia
Vote: 5-0
- 10E) Resolution – Third Amendment to FY2008-2009 Budget
- Council **adopted** a resolution providing for the third amendment to the FY2008-2009 budget, providing for the transfer of the prior budgetary appropriation and establishment of the current budgetary appropriation to the City Capital Projects Fund Budget for the City Community Center Construction Project, finding the appropriateness of the budgetary amendment set forth herein **(Resolution No. 2008-3422).**
- Motion:** Councilman Best
Second: Vice Mayor Youngs
Vote: 5-0
- 10F) IDD Document Storage:
Contract Extension
- Council **approved** the extension of a contract with International Data Depository (IDD), at an estimated 8% increase over the previous year.
- Motion:** Councilman Garcia
Second: Vice Mayor Youngs
Vote: 5-0

11. Other Business:

11A) Cancellation of December 22, 2008
Regular Meeting

Council agreed to **cancel** the December 22, 2008 Regular Meeting.

Motion: Councilman Garcia

Second: Councilman Best

Vote: 5-0

12. Reports & Recommendations:

12A) City Attorney

None

12B) City Manager

ADA Lawsuit

City Manager Borgmann reported that motions are being filed for an extension to respond because today was the thirty-day deadline. There was difficulty finding counsel for the State and the County. City Attorney Seiden had responded to the attorney regarding a conference call with the attorneys next week to determine how to approach the Plaintiff to resolve the case. He requested that she come to the City to participate in the conversation. It is similar to an unfunded mandate and the City will need time to comply. City Manager Borgmann said that the city was asked to continue a sidewalk on Hunting Lodge and it was estimated to be a \$15,000 job for three blocks of sidewalk. The lawsuit is not specific and it is unknown how far the request will go.

12B) All Angels Movie Night

City Manager Borgmann said that All Angels Movie Night was so successful that Chief of Police Baan is recommending an additional police officer to help people cross the street. A recommendation will be brought to Council at the next meeting.

12B)	Lighting Grid Grant	City Manager Borgmann stated that Council recently approved going forward with an application for a grant for the theatre lighting grid. The City's application finished eleventh out of 33 applications and they will be able to fund 32 of the 33 applications.
	Senior Center ADA Grant	City Manager Borgmann reported that unfortunately the City did not qualify for the grant for ADA compliance at the Senior Center for the installation of a new ramp and covered entrance on Apache Street.
	Holiday Decorations	City Manager Borgmann informed Council that the holiday lighting ceremony is proposed for Tuesday, December 2 nd at approximately 7:00 p.m. The Public Works Department has begun putting up and testing the decorations.
	Police Department: Promotional Exams	City Manager Borgmann announced that there are upcoming promotional exams for Police Sergeant and Lieutenant.
	Film Shoots at the Gym	City Manager Borgmann reported that a film shoot was held at the Gym last week and the star was rock star Iggy Pop.
	Basketball Sign ups	City Manager Borgmann reported that basketball sign ups are still going on. The gym floors were refinished for approximately \$3,000 in order to fix spots that were a safety hazard.
	Soccer Program	City Manager Borgmann announced that the Soccer program is underway and the games have started.
	Census	City Manager Borgmann stated that Human Resources Director Loretta Boucher met with a representative from the Census Bureau that will have jobs available for census takers for 40-hours a week at \$13.75 to \$16.50 per hour.

12B)	Census (Continued)	City Manager Borgmann reported that the City has agreed to let the Census Bureau conduct the interviews at City Hall. He will provide the information to the River Cities Gazette.
	Turkey Donations	City Manager Borgmann reported that thanks to Mayor Bain the City picked up ten turkeys from the Miami-Dade County League of Cities that will be raffled off at the Senior Center.
	Anniversary	City Manager Borgmann announced that today is the fifth anniversary of his employment as City Manager. He thanked Council for the privilege and pleasure of serving.
	Recreation Center Ball Caps	City Manager Borgmann distributed new Recreation Department ball caps to Council now that the contract with Link was approved.
	FEMA Reimbursement	City Manager Borgmann stated that the City received more than \$700,000 from the Federal Emergency Management Agency (FEMA) for Hurricane Katrina and there is approximately \$135,000 still pending to be reimbursed.
12C)	City Council	
	Happy Thanksgiving	Councilman Best wished everyone a Happy Thanksgiving and reminded all to spend quality time with their families.
	Happy Thanksgiving	Councilman Dotson wished everyone a Happy Thanksgiving and a good holiday season.
	Soccer Program	Councilman Garcia thanked all the volunteers coaching the soccer program. His son is participating on one of the traveling teams for the first time. He appreciates the volunteers because some other cities pay their coaches, which makes a big difference.

12C)	Christmas at the Gazebo	Councilman Garcia noticed that signs were posted about Christmas at the Gazebo on the Circle.
	Christmas at the Gazebo	<p>City Manager Borgmann reported that Christmas at the Gazebo is going to be held on Saturday, December 13th from 5:30 to 9:00 p.m. with Santa Claus and parents can bring their own cameras to take their kids' pictures.</p> <p>Councilman Garcia expressed his concern with limiting the event to one day.</p> <p>Assistant City Manager Gorland commented that the Recreation Department Staff said that there would be considerable savings by limiting the event to one day on an extended basis. He and the City Manager thought it was an excellent recommendation.</p>
	Happy Thanksgiving	Councilman Garcia wished everyone a Happy Thanksgiving, including the Mayor, Council, City Clerk and Administration.
	Happy Thanksgiving	Vice Mayor Youngs wished everyone a Happy Thanksgiving. He is thankful for living in a great country and a great city. He also thanked the City Manager, Police Department, City Clerk, City Attorney and Administration. He said that Thanksgiving was proclaimed a national holiday by President Abraham Lincoln.
	Rotary Club	Mayor Bain spoke at a Rotary Club social function. He had a good time and it was a lot of fun.

- 12C) Community Center
- Mayor Bain thanked Council and Staff for the presentation of the Link Contract, as well as Link for their cooperation and the professionalism of the City Attorney, City Manager and Assistant City Manager. It was a team effort that is under total control and he is proposing special meetings if needed. He hopes that every resident will consider donating funds for this worthwhile project that will help the entire community.
- Happy Thanksgiving
- Mayor Bain wished everyone a happy and safe Thanksgiving with their families.
- 13. Adjourn**
- Meeting adjourned at 9:56 p.m.